

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA

In re:

Steven Dale Deaton,

Chapter 7
Case No. 23-02527-5-PWM

Debtor.

MXR Imaging, Inc.,

Plaintiff,

v.

Adversary Proc. No. 23-00102-5-PWM

Steven Dale Deaton,

Defendant.

JOINT MOTION FOR ENTRY OF AGREED ORDER AND JUDGMENT

The Parties have reached a settlement in principle in this case. To facilitate the completion of settlement, the Parties submit a proposed order along with this motion and jointly request that the Court enter an order and judgment reflecting the settlement's key terms. The terms of the proposed order are as follows:

- Judgment in favor of Plaintiff MXR Imaging, Inc. in the amount of \$100,000;
- The judgment is deemed non-dischargeable in accordance with 11 U.S.C. §§ 523(a)(2)(A), 523(a)(4), and/or 523(a)(6);
- Plaintiff may not take any steps to enforce the judgment until 45 after entry of the order and judgment, to allow the Parties sufficient time to prepare a definitive settlement agreement consistent with the terms of the order and judgment;
- All current case deadlines are continued;
- If, for any reason, the Parties are unable to execute a final settlement agreement within the 45-day period, Plaintiff may file such motion(s) as it deems necessary seeking for such other and further relief as may be proper; and

- The Court retains jurisdiction over this matter for all purposes, including enforcing the terms of the order and judgment.

For these reasons, the Parties respectfully request that the Court grant this Joint Motion and enter an order consistent with the terms of the proposed order and judgment submitted to the Court along with this motion.

Date: January 16, 2024

Respectfully submitted,

MXR IMAGING, INC.

By: /s/ Benjamin S. Morrell
Benjamin S. Morrell (NC Bar No. 56676)
TAFT STETTINIUS & HOLLISTER LLP
111 East Wacker Drive, Suite 2600
Chicago, IL 60601
Telephone: (312) 527-4000
Facsimile: (312) 527-4011
bmorrell@taftlaw.com

Paul R. Harris (via special appearance)
TAFT STETTINIUS & HOLLISTER LLP
200 Public Square, Suite 3500
Cleveland, OH 44114
Telephone: (216) 241-2838
Facsimile: (216) 241-3707
pharris@taftlaw.com

Counsel for Plaintiff

STEVEN DEATON

By: /s/ Philip Sasser
Philip Sasser (State Bar No. 38479)
2000 Regency Parkway, Suite 230
Cary, North Carolina 27518
Tel: 919.319.7400
Fax: 919.657.7400

Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on the date listed below, I filed the foregoing document using the Court's CM/ECF system, which will effect service upon all counsel of record.

Date: January 16, 2024

By: /s/ Benjamin S. Morrell _____
Benjamin S. Morrell
Counsel for Plaintiff